IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.2026 of 2007

Shivaji Bhagoji Rathod and Anr. Applicants.

Vs.

The State of Maharashtra ..Respondent.

Mr Amin Solkar for the applicants.

Mr U. V. Nikam, APP for the State.

CORAM: V.C. DAGA,J.

DATED: 16TH JULY, 2007.

P.C.:-

1. Heard learned counsel for the applicants and learned APP for the State.

2. The applicants are seeking anticipatory bail in C.R. No.179 of 2007 of Nigdi Police Station. The said case is registered for the offence under Sections 363, 366 of the I.P.C. against one Vinod Tipanna Chavan. The applicant no.2 is a sister of the said Vinod Tipanna; whereas, the applicant no.1 is brother in law of the said Vinod Tipanna, who is absconding along with the minor girl of the complainant Smt. Shamshad Taher Sayyad (Shaikh). There is no material other than the statement of the mother of the minor girl making allegations against Vinod Tipanna. There is practically not a single allegation against the present applicants. In the

circumstances, I am inclined to grant anticipatory bail to the applicants on the following terms and conditions.

3. In the above view of the matter, the applicants, in the event of their arrest, be released on bail in the sum of Rs.10,000/-each with one or two sureties to make up the said amount in C.R. No.179 of 2007 on the following terms and conditions:

(a) that the applicant Nos. 1 and 2 should report to Nigdi Police Station, once in a fortnight i.e. on every Friday between 3.00 to 5.00 p.m.

(b) the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(c) the applicants shall not pressurise witnesses and that they shall co-operate with the Investigating agency, if required.

4. This order of anticipatory bail shall

remain in force till the filing of the charge sheet. It would be open for the applicants to apply for regular bail before the regular Court.

5. The application is allowed in the above terms.

(V.C. DAGA,J.)